

EXHIBIT C



Richard Liebowitz <rl@liebowitzlawfirm.com>

Re: Bradley v. Analytical Grammar, Inc.

1 message

Dan <dan@danboothlaw.com>

Tue, Oct 8, 2019 at 11:02 AM

To: Richard Liebowitz <RL@liebowitzlawfirm.com>

Richard,

Analytical Grammar expects to prevail on the merits and does not accept your offer.

Your client posted a photograph on Facebook and encouraged its viral distribution with no strings attached. He then turned around a year later to sue one of the thousands of Facebook users who took part in that viral use. Frankly, that is predatory conduct and a misuse of copyright.

Nevertheless, my client's president immediately apologized and sent you a Rule 68 offer on August 16 for \$500. You chose not to respond, even after she and I followed up on the offer the following week. It's remarkable that when we spoke yesterday, the reason you gave for now proposing to settle for the exact same amount offered in August is that you thought her business was larger. That's not a sufficient reason for the attorney's fees you've made my client spend over the last two months.

My client is both outraged and resolute about this bait-and-switch lawsuit. Ms. Karl is a mother, a small business owner, an Air Force veteran, a Lieutenant Colonel in the Air Force Reserve, and a Southerner. Any one of those things would be enough to give her a serious backbone — but combined? Suffice to say, she is not backing down.

Analytical Grammar is currently open to an offer to pay all of its attorneys' fees accrued to date. Alternatively, at any time, you can voluntarily dismiss with prejudice, and my client can seek its fees from the court. Those fees will continue to accrue as long as your client maintains this action, so if he has interest in limiting his exposure, the sooner the better.

I will confer with you at noon about the joint discovery plan.

Regards,

Dan Booth
Dan Booth Law LLC
60 Thoreau Street #121
Concord, MA 01742
646-573-6596
dan@danboothlaw.com

On Oct 8, 2019, at 2:08 AM, Richard Liebowitz <RL@liebowitzlawfirm.com> wrote:

Hi Dan,

We can resolve for \$500. Let me know. Thanks.

Best,

Richard Liebowitz, Esq.
Liebowitz Law Firm, PLLC
t.516-233-1660
RL@LiebowitzLawFirm.com
www.LiebowitzLawFirm.com

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On Mon, Oct 7, 2019 at 3:40 PM Dan <dan@danboothlaw.com> wrote:

Richard,

Thanks for your call. To summarize, you proposed that we postpone the Rule 26(f) conference we had scheduled for today until noon tomorrow, and in the meantime, we would return to our clients to see if a settlement can be reached, and we will report back to each other with our clients' positions later today or tomorrow morning. If we don't reach a settlement before then, I am available at noon tomorrow to work through the joint discovery plan.

Regards,

Dan Booth
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[60 Thoreau Street #121](#)
[Concord, MA 01742](#)
646-573-6596
dan@danboothlaw.com

On Oct 7, 2019, at 2:51 PM, Richard Liebowitz <RL@liebowitzlawfirm.com> wrote:

Headed into Court. Will call you as soon as I am out. Thank you.

On Mon, Oct 7, 2019 at 11:37 AM Dan <dan@danboothlaw.com> wrote:

I'm available at 3pm today. Again, please inform what court rescheduled your conference last-minute this morning, and provide the rescheduling order.

Dan Booth
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[60 Thoreau Street #121](#)
[Concord, MA 01742](#)
646-573-6596
dan@danboothlaw.com

On Oct 7, 2019, at 11:20 AM, Richard Liebowitz <RL@liebowitzlawfirm.com> wrote:

How does earlier at 1:30pm work?

On Mon, Oct 7, 2019 at 8:55 AM Dan <dan@danboothlaw.com> wrote:

Richard,

This is short notice and I have evening plans already set. When did the court reschedule your conference, and in what case? Please provide a copy of the rescheduling order.

Regards,

Dan Booth
Dan Booth Law LLC
[60 Thoreau Street #121](#)
[Concord, MA 01742](#)
646-573-6596
dan@danboothlaw.com

On Oct 7, 2019, at 4:39 AM, Richard Liebowitz
<RL@liebowitzlawfirm.com> wrote:

Hi Dan,

Can we push our phone call to 6pm on Monday? I have a Court conference that got moved to 3pm. Thank you.

Best,

Richard Liebowitz, Esq.
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RL@LiebowitzLawFirm.com
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On Wed, Sep 18, 2019 at 5:24 PM Dan <dan@danboothlaw.com> wrote:

Confirmed, 3pm EST on October 7. Talk with you then.

Regards,

Dan Booth
Dan Booth Law LLC
[60 Thoreau Street #121](https://www.danboothlaw.com)
[Concord, MA 01742](https://www.danboothlaw.com)
646-573-6596
dan@danboothlaw.com

On Sep 18, 2019, at 4:22 PM, Richard Liebowitz
<RL@liebowitzlawfirm.com> wrote:

October 7th at 3pm works.

Best,

Richard Liebowitz, Esq.
Liebowitz Law Firm, PLLC
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On Wed, Sep 18, 2019 at 4:15 PM Dan
<dan@danboothlaw.com> wrote:
Richard,

Our client expects to prevail and does not accept your offer.

I asked you twice yesterday for your availability for a Rule 26(f) conference on October 7 or 8. Please advise.

Regards,

Dan Booth
Dan Booth Law LLC
60 Thoreau Street #121
Concord, MA 01742
646-573-6596
dan@danboothlaw.com

On Sep 17, 2019, at 3:54 PM, Richard Liebowitz <RL@liebowitzlawfirm.com> wrote:

Counsel,

I am authorized to make a final offer of \$5,500 to resolve this matter at this very early stage of the litigation. This offer is on the table until Thursday, Sept 19th at 5pm EST at which point it will be revoked. Thank you.

On Tue, Sep 17, 2019 at 1:34 PM
Richard Liebowitz
<RL@liebowitzlawfirm.com> wrote:
Thank you, Chris.

On Tue, Sep 17, 2019 at 1:33 PM
Thomas, Christopher M.
<christhomas@parkerpoe.com>
wrote:

Hi Richard,

Thanks for reaching out. We are not available tomorrow and will need to coordinate with lead counsel in order to determine when we can do the conference. After we do that, we'll send a list of dates and times.

Thanks,
Chris

From: Richard Liebowitz
<RL@liebowitzlawfirm.com>
Sent: Tuesday, September 17, 2019 12:38 PM
To: Thomas, Christopher M.
<christhomas@parkerpoe.com>;
Lawson, Catherine R. L.
<catherinelawson@parkerpoe.com>

>

Subject: Bradley v. Analytical
Grammar, Inc.

Caution: External email

Hi Chris and Catherine,

Are you available to have our
Rule26F conference tomorrow
(Wednesday) at 2:30pm?

Thank you.

Best,

Richard Liebowitz, Esq.

Liebowitz Law Firm, PLLC

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Christopher Thomas
Partner



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Best,

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